

CARLYON CICA, CHTD.
 265 E. Warm Springs Road, Suite 107
 Las Vegas, NV 89119

CARLYON CICA CHTD.
 CANDACE C. CARLYON, ESQ.
 Nevada Bar No. 2666
 DAWN M. CICA, ESQ.
 Nevada Bar No. 4565
 TRACY M. O'STEEN, ESQ.
 Nevada Bar No. 10949
 265 E. Warm Springs Road, Suite 107
 Las Vegas, NV 89119
 Telephone: (702) 685-4444
 Facsimile: (725) 220-4360
ccarlyon@carlyoncica.com
dcica@carlyoncica.com
tosteen@CarlyonCica.com
Counsel for the Debtor

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:

GLOBE PHOTO, INC

Debtor.

Case No.: 20-11620-ABL

Chapter: 7

**GENERAL GLOBAL NOTES AND
 STATEMENT OF LIMITATIONS,
 METHODOLOGY AND DISCLAIMERS
 REGARDING THE DEBTORS' SCHEDULES
 OF ASSETS AND LIABILITIES AND
 STATEMENTS OF FINANCIAL AFFAIRS**

Hearing Date: n/a

Hearing Time: n/a

On March 19, 2020 (the "Petition Date"), Globe Photos, Inc. (BK-S-20-11620) Photo File, LLC (BK-S-20-11619) ("Debtors"), each filed a voluntary case under chapter 7 of title 11, United States Code (the "Bankruptcy Code") before the United States Bankruptcy Court, District of Nevada (the "Bankruptcy Court").

The Schedules of Assets and Liabilities and Statements of Financial Affairs (the "Schedules and SOFAs") filed by the Debtors in the Bankruptcy Court were prepared pursuant to

CARLYON CICA, CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119

§ 521 of the Bankruptcy Code and Rule 1007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) by an authorized representative of the Debtor with unaudited information available as of the Petition Date. The Schedules and SOFAs do not purport to represent financial statements prepared in accordance with generally accepted accounting principles in the United States (“GAAP”) and they are not intended to be fully reconciled to the Debtor’s financial statements. The Schedules and SOFAs have been signed by an authorized representative of the Debtors. In reviewing and signing the Schedules and SOFAs, this representative relied upon the efforts, statements and representations of the Debtors’ other personnel and professionals, including previous employees. As of the Petition Date, all employees had resigned or been terminated. The authorized representative has not (and could not have) personally verified the accuracy of each such statement and representation, including, for example, statements and representations concerning amounts owed to creditors and their addresses.

These General Global Notes and Statement of Limitations, Methodology and Disclaimer Regarding Debtors’ Schedules and SOFAs (the “General Notes”) are incorporated by reference in, and comprise an integral part of, the Debtors’ Schedules and SOFAs, and should be referred to and reviewed in connection with any review of the Schedules and SOFAs.

1. *Reservation of Rights.* Although the authorized representative of the Debtors has made every reasonable effort to ensure that the Schedules and SOFAs are as accurate and complete as possible, based on the information that was available at the time of preparation, subsequent information or discovery may result in material changes to these Schedules and SOFAs, and inadvertent errors or omissions may have occurred. Because the Schedules and SOFAs contain unaudited information, which is subject to further review, verification, and potential adjustment, these Schedules and SOFAs may be inaccurate and/or incomplete.

2. *No Waiver.* Nothing contained in the Schedules and SOFAs or these General Notes shall constitute an admission or a waiver the Debtors’ rights to assert any claims or defenses. For the avoidance of doubt, listing a claim on Schedule D as “secured,” on Schedule E/F as “unsecured nonpriority,” or listing a contract or lease on Schedule G as “executory” or “unexpired,” does not

CARLYON CICA, CHTD.
265 E. Warm Springs Road, Suite 107
Las Vegas, NV 89119

1 constitute an admission by the Debtors of the legal rights of the claimant, or a waiver of the
2 Debtors' right to recharacterize or reclassify such claim or contract. Failure to designate a claim
3 on a given Debtors' Schedules as "disputed," "contingent," or "unliquidated" does not constitute
4 an admission by the Debtors that such amount is not "disputed," "contingent" or "unliquidated."

5 **3. Reporting Date.** All asset and liability information, except where otherwise noted,
6 is provided as of the Petition Date, to the best of Debtors' ability.

7 **4. Estimates and Assumptions.** The preparation of the Schedules and SOFAs required
8 the Debtors to make estimates and assumptions that affected the reported amounts of assets and
9 liabilities, the disclosure of contingent assets and liabilities and the reported amounts of revenue
10 and expense. Actual results could differ materially from these estimates.

11 **5. Asset Presentation and Valuation.** The Debtors do not have current market
12 valuations for their assets. It would be prohibitively expensive, unduly burdensome and an
13 inefficient use of estate assets, for the Debtors to obtain current market valuations for all assets.
14 Unless otherwise noted, valuations represent management's best estimate of current liquidation or
15 book value. When necessary, a Debtor has indicated that the value of certain assets is "Unknown"
16 or "Undetermined." Amounts ultimately realized may vary from whatever value was ascribed and
17 such variance may be material. Accordingly, the Debtors reserve all of their rights to amend,
18 supplement, or adjust the value of each asset set forth herein.

19 **6. Liabilities.** Certain of the liabilities are scheduled unknown, contingent and/or
20 unliquidated at this time. Accordingly, the Schedules and the SOFAs do not accurately reflect the
21 aggregate amount of the Debtor's total liabilities.

22 **7. Claim Description.** Any failure to designate a claim on the Debtor's Schedules and
23 SOFAs as "contingent," "unliquidated" or "disputed" does not constitute an admission by the
24 Debtors that such claim is not "contingent," "unliquidated" or "disputed." The Debtor reserves all
25 of its rights to dispute, or to assert offsets or defenses to, any claim reflected on the Schedules and
26 SOFAs as to amount, liability, priority, secured or unsecured status, classification or any other
27
28

1 grounds or to otherwise subsequently designate any claim as “contingent,” “unliquidated” or
 2 “disputed.” Each Debtor reserves all of its rights to amend their Schedules and SOFAs as necessary
 3 and appropriate, including, but not limited to, with respect to claim description and designation.
 4

5 **8. *Undetermined or Unknown Amounts.*** The description of an amount as
 6 “Undetermined” or “Unknown” is not intended to reflect upon the materiality of such amount.
 7 Certain amounts may be clarified over the period of the bankruptcy proceedings and certain
 8 amounts may depend on contractual obligations to be assumed or rejected.
 9

10 **9. *Limitation of Liability.*** The Debtors and their officers, employees, agents,
 11 attorneys, and financial advisors do not guarantee or warrant the accuracy, completeness, or
 12 currentness of the data that is provided herein and shall not be liable for any loss or injury arising
 13 out of or caused, in whole or in part, by the acts, errors, or omissions, whether negligent or
 14 otherwise, in procuring, compiling, collecting, interpreting, reporting, communicating, or
 15 delivering the information contained herein. The Debtors and their officers, employees, agents,
 16 attorneys, and financial advisors expressly do not undertake any obligation to update, modify,
 17 revise, or recategorize the information provided herein or to notify any third party should the
 18 information be updated, modified, revised or recategorized.
 19

20 Respectfully submitted this 2nd day of April 2020

21 DocuSigned by:

22 *Stuart Scheinman*

23 F9D2ACE33AD54F8...

24 STUART SCHEINMAN

25 *Authorized signatory*
 26
 27
 28

CARLYON CICA, CHTD.
 265 E. Warm Springs Road, Suite 107
 Las Vegas, NV 89119